

RSAC/EDS

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Decision 97-04-077 April 23, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF WEST)
SACRAMENTO for an Order authorizing)
construction of a crossing at grade)
between Devon Avenue and tracks of the)
Yolo Short Line Railroad Company)

Application 96-11-012
(Filed November 8, 1996)

ORIGINAL

O P I N I O N

The City of West Sacramento (City) requests authority to construct Devon Avenue at grade across the Clarksburg Holland Branch tracks of the Yolo Short Line Railroad Company (YSL) in the City of West Sacramento, Yolo County.

The crossing will serve as a residential collector street to the proposed Southport Gateway subdivision project located east of Jefferson Boulevard. The subdivision, when completed, will consist of approximately 323 residential lots. Presently, Devon Avenue serves a residential subdivision west of Jefferson Boulevard. The proposed crossing is part of the project that includes construction of Devon Avenue as a two-lane, east-west roadway extending across Jefferson Boulevard and the YSL tracks.

The existing South River Road, Crossing No. 100-90.5 is located north of the proposed Devon Avenue crossing and will also serve the Southport Gateway Subdivision. Present protection at the South River Road crossing consists of two Standard No. 1-R's as specified in General Order (GO) No. 75-C. As part of this project, City will upgrade the crossing warning devices at the South River Road crossing to automatic gate type signals upon completion of the subdivision project.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et. seq. After preparation and review of an initial study, City approved the project. A Notice of Determination was filed with the Yolo County Clerk on May 15, 1995, which found that "The project will have a significant effect on the environment," and "Mitigation measures were made a condition of the approval of the project" and "A statement of Overriding Considerations was adopted for this project."

The primary impact will be increased traffic noise due to the increase in vehicular volume. Mitigation measures include the review of building permit applications and requiring applicants to prepare additional noise analysis which verifies that proposed building materials meet City's noise standards.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Mitigated Negative Declaration.

The site of the proposed project has been inspected by staff of the Commission's Rail Safety and Carriers Division, Traffic Engineering Section (staff). The staff examined the need for and safety of the proposed crossing and recommends that the sought authority be granted.

Application 96-11-012 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38 which relates to the construction of a public highway across a railroad track. A sketch of the proposed project area is set forth as Appendix A.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on November 14, 1996. No protests have been filed.

2. City requests authority, under Public Utilities Code Sections 1201-1205, to construct Devon Avenue at grade across the Clarksburg Holland Branch tracks of the Yolo Short Line Railroad Company in the City of West Sacramento, Yolo County.

3. City is the lead agency for this project under CEQA, as amended.

4. Public convenience, necessity, and safety require the construction of the Devon Avenue crossing.

5. Public safety requires that protection at the Devon Avenue crossing be two (2) Standard No. 9 automatic gate-type signals as specified in GO No. 75-C. Vehicle parking within 25 feet of each approach shall be prohibited.

6. City will upgrade crossing warning devices at South River Road crossing (PUC# 100-90.5) to Standard No.9 automatic gates to handle future traffic demand once the Southport Gateway subdivision is completed.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Mitigated Negative Declaration.

8. The project will have a significant effect on the environment; however, the adopted mitigation measures will reduce the severity of the adverse impacts to acceptable levels.

Conclusions of Law

1. The application is uncontested and a public hearing is not necessary.

2. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The City of West Sacramento (City) is authorized to construct Devon Avenue at grade across the Clarksburg Holland Branch tracks of the Yolo Short Line Railroad Company (YSL) in the City of West Sacramento, Yolo County at the location and substantially as shown on the plans attached to the application, to be identified as Crossing No. 100-90.3.

2. Protection at the Devon Avenue crossing shall be two (2) Standard No. 9 automatic gate-type signals as specified in General Order (GO) No. 75-C. Vehicle parking shall be prohibited within 25 feet at each approach of the crossing.

3. Protection at the South River Road crossing (PUC# 100-90.5) shall be upgraded to two (2) Standard No. 9 automatic gate-type signals as specified in GO No. 75-C once the Southport Gateway subdivision project is completed.

4. Clearances shall be in accordance with GO 26-D.

5. Construction of the grade crossing shall be equal or superior to the Standard No. 1 as specified in GO 72-B. Maintenance of the crossing shall conform to GO 72-B.

6. Walkways shall conform to GO 118.

7. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between City and YSL. A copy of the agreement, together with construction plans of the crossing approved by YSL, shall be filed by City with the Commission's Rail Safety and Carriers Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

8. Within thirty (30) days after completion of the work under this order, City shall advise the Commission's Rail Safety and Carriers Division in writing that the authorized work has been completed.

9. This authorization shall expire if not exercised within two (2) years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

10. The application is granted as set forth above.

This order is effective 30 days from today.

11. Application 96-11-012 is closed.

Dated April 23, 1997, at San Francisco, California.

P. GREGORY CONLON

President

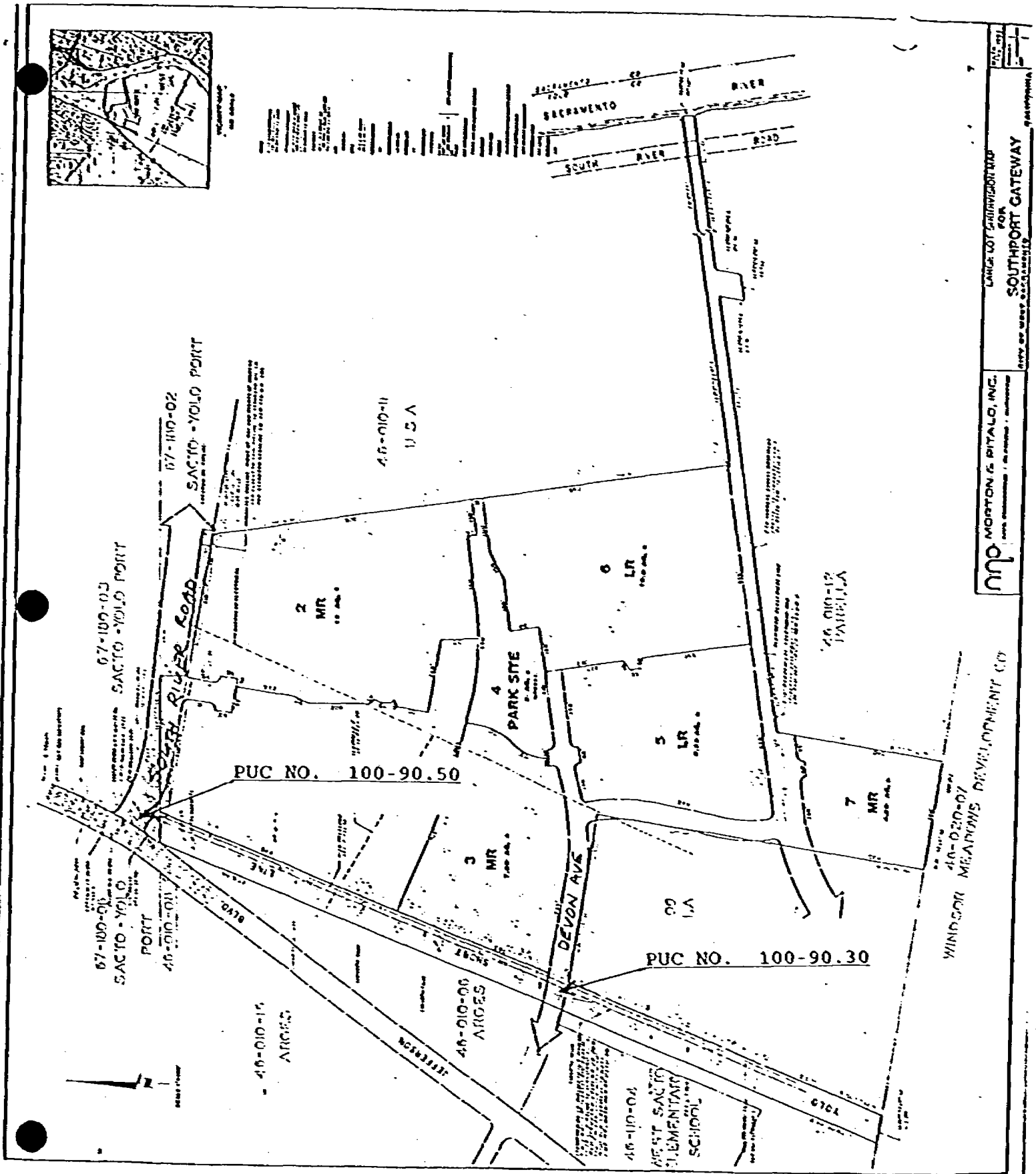
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners



DEVON AVENUE CROSSING PROJECT